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SUBJECT: SUPREME COURT DECIDES THAT ANTAURO HUMALA WILL BE TRIED IN LIMA

REF: A. LIMA 4130

[B](#). LIMA 12

[1](#)1. Peru's Supreme Court, on 11/7, decided that Ethno-Cacerist leader Antauro Humala and 159 of his followers will stand trial in Lima for their participation in the January 2005 armed rebellion in Andahuaylas that resulted in the death of four policemen (Ref B). The Court reversed its original ruling that the trial should take place in Andahuaylas, a city of 30,000 inhabitants located in the high Andes about 500 kilometers south-east of Lima, as that was where the alleged criminal acts took place (Ref A). The Court reconsidered its ruling after the Interior Ministry requested a change of venue, asserting that the penal and court facilities in Andahuaylas had neither the infrastructure nor sufficient personnel to cope with an undertaking of this size.

[1](#)2. The Supreme Court found that security conditions in Andahuaylas were limited, due to the sparse local security force (8 police officers and 15 prison guards), and to the presumed presence of "political sympathizers" of the accused, who could "possibly overcome the control capabilities of the authorities." Consequently, the Court concluded, the Interior Ministry's petition for a change of venue met the Criminal Procedure Code's criteria of the existence of circumstances that would threaten "the normal development and security of the trial." The Court's decision to switch the venue to Lima was widely hailed as having averted the potentially dangerous and volatile situation that a trial in Andahuaylas would have presented.

STRUBLE